

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

APOLINAR ACEVEDO,

Plaintiff,

v.

**HESS CORPORATION f/k/a AMERADA
HESS CORPORATION,**

Defendant.

2003-CV-0187

**TO: Lee J. Rohn, Esq.
Carl A. Beckstedt, III, Esq.**

ORDER DENYING PLAINTIFF'S MOTIONS FOR SANCTIONS

THIS MATTER came before the Court upon Plaintiff's Motion For Sanctions Against Defendant HOVENSA For Its Failure to Comply with the Court Order Regarding Plaintiff's Motion to Show Cause Dated July 09, 2008 (Docket No. 97) and Renewed Motion For Sanctions Against HOVENSA For Its Failure to Comply with the Court Order Regarding Plaintiff's Motion to Show Cause Dated July 09, 2008 (Docket No. 99). HOVENSA, L.L.C., filed a response to said motions and counter-motion for an extension of time. This order is issued without necessity of reply.

Having reviewed the submission of the parties and upon due consideration thereof, the Court finds that HOVENSA, L.L.C., a non-party to this matter, has made diligent and

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substantial efforts to comply with the order at issue and its delay in full compliance therewith is not a result of bad faith nor does such delay cause substantial prejudice to Plaintiff.

WHEREFORE, it is now hereby **ORDERED**:

1. Plaintiff's Motion For Sanctions Against HOVENSA For Its Failure to Comply with the Court Order Regarding Plaintiff's Motion to Show Cause Dated July 09, 2008 (Docket No. 97) is **DENIED**.
2. Plaintiff's Renewed Motion For Sanctions Against HOVENSA For Its Failure to Comply with the Court Order Regarding Plaintiff's Motion to Show Cause Dated July 09, 2008 (Docket No. 99) is **DENIED**.
3. HOVENSA, L.L.C.'s request for an extension of time to fully comply with the said order is **GRANTED**.
4. HOVENSA, L.L.C., shall produce the documents responsive to requests numbered 2 and 3 on or before **September 1, 2008**.

ENTER:

Dated: August 12, 2008

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE